

Atty. Dkt. No. SALK1740-10
(088802-3218)

Remarks

The restriction of claims 1-19 under 35 U.S.C. § 121 is respectfully traversed. It is respectfully submitted that the Group I claims (directed to a protein), and the Group II claim (directed to an antibody), could readily be searched in a single application. The subject matter of each of these groups are classified in the same class/subclass, and each relate to the same receptor – CRF polypeptide. Moreover, a thorough search of the Group II antibody would, of necessity, encompass a search of the Group I protein. Accordingly, it is respectfully submitted that no undue burden is placed on the Examiner to search all aspects of the initially claimed invention in one case.

However, in order to be fully responsive, Applicants hereby elect Group I with traverse for examination at this time.

The further requirement for an election of species under 35 U.S.C. § 112 is also respectfully traversed. It is respectfully submitted that the Group I-a claims (directed to a rat), Group I-b claims (directed to a partial mouse clone), Group I-c (directed to a full length mouse clone), and Group I-d (directed to a human), could readily be searched in a single application. A thorough search of one species would, of necessity, encompass a search of all the other species. Accordingly, it is respectfully submitted that no undue burden is placed on the Examiner to search all aspects of the initially claimed invention in one case.

However, in order to be fully responsive, Applicants hereby elect Group I-d SEQ ID NO:14/15, directed to human, as the disclosed species on which to proceed with examination at this time. Claims 1-11 and 13-19 read upon this species. The non-elected claim (i.e., Group II - claim 12) remains pending herein pending final disposition of the elected claims.

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Conclusion

In view of the above remarks, reconsideration and withdrawal of the further requirement for election of a single disclosed species, and prompt and favorable action on all claims is respectfully requested. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

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